

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

COALITION FOR TJ,

Plaintiff,

v.

FAIRFAX COUNTY SCHOOL BOARD,

Defendant.

No. 1:21-cv-00296-CMH-JFA

**PLAINTIFF’S OBJECTIONS AND ANSWERS TO DEFENDANT’S
FIRST SET OF INTERROGATORIES**

PRELIMINARY STATEMENT

Plaintiff Coalition for TJ has not yet fully completed the investigation of the facts relating to this case and has not yet fully completed discovery in this action. Plaintiff’s objections herein are based upon information and documents currently known to Plaintiff. Further discovery, independent investigation, legal research, and analysis may supply additional facts and lead to additions, changes, and variations from the answers herein.

The following objections are given without prejudice to the right to produce evidence or witnesses that Plaintiff may later discover. Plaintiff accordingly reserves the right to change any and all objections herein as additional facts are ascertained, witnesses are identified, and legal research is completed. The objections contained herein are made in good faith and in an effort to supply as much factual information and as much specification of legal contention as is presently known, and should in no way prejudice Plaintiff in relation to further discovery and proceedings. Plaintiff does not waive, and expressly reserves, its right to object to the relevance and admissibility of any document or other evidence for use at trial.

Plaintiff objects generally to Defendant's Interrogatories to the extent that they seek to impose obligations beyond the Federal Rules of Civil Procedure and Local Rules.

SPECIFIC OBJECTIONS

INTERROGATORY NO. 1:

State the full name, email address, address, telephone number, area of expertise, and qualifications of each person whom You plan to call to testify as an expert witness (whether such expert was formally retained by you, or not) at the trial or in connection with any proceeding in this case. For each person identified, state the subject matter on which the expert is expected to testify; the substance of the facts and opinions to which he or she is expected to testify; a summary of the grounds of each opinion to be offered; and the date the expert was retained. If the person identified has prepared a written report, state the date it was prepared and attach a copy of the report to your Response.

PLAINTIFF'S OBJECTION:

Plaintiff objects to this Interrogatory as seeking to impose obligations beyond those in Fed. R. Civ. P. 26(a)(2). Plaintiff will comply with the requirements of that Rule in due course.

PLAINTIFF'S ANSWER:

Subject to the above objection, at this time, Plaintiff has not identified any person that it plans to call as an expert witness to testify at trial or in connection with any proceeding in this case.

INTERROGATORY NO. 2:

For every member of the School Board whom you contend voted to change the admissions policy for TJ in order to discriminate against Asian students, state all facts that support your

15. Board Member Laura Jane Cohen

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16. Board Vice Chair Stella Pekarsky

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INTERROGATORY NO. 6:

Identify each element of the TJ admissions policy that you contend will have (or has had) an adverse disparate impact on Asian students. For each such element of the policy, state all facts that support your claim.

PLAINTIFF'S OBJECTION:

Plaintiff objects to this interrogatory to the extent it seeks information in the possession of third parties, as Plaintiff does not have knowledge or possession of and cannot identify "all facts" related to the subject of this interrogatory. Plaintiff also objects to the term "element" as vague.

PLAINTIFF'S ANSWER:

Subject to and without waiving the foregoing objections, Plaintiff answers as follows:

The elimination of the nationally-normed, standardized admission test, coupled with the 1.5% middle school limitation, had an adverse disparate impact on Asian-American students. The

admissions statistics for the TJ Class of 2025 and the November 2020 Whitepaper support Plaintiff's claim of a disparate impact on Asian-American students.

Dated: July 12, 2021.

Respectfully submitted,

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of July, 2021, I caused a copy of the foregoing to be delivered by electronic mail to the following counsel for Defendant:

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Counsel for Plaintiff

VERIFICATION

I, Glenn S. Miller, hereby declare as follows:

1. I have read PLAINTIFF'S OBJECTIONS AND ANSWERS TO DEFENDANT'S FIRST SET OF INTERROGATORIES and know its contents.
2. I am informed and believe that the matters stated therein are true and correct. On that ground, I declare under penalty of perjury, under the law of the State of Virginia, that the same are true and correct.

Executed this 9th day of July, 2021.

A handwritten signature in black ink, appearing to read 'G. S. Miller', written over a horizontal line.

Glenn S. Miller